United Nations A/C.2/67/L.13/Rev.1

General Assembly

Distr.: Limited
15 November 2012

Original: English

Sixty-seventh session
Second Committee
Agenda item 20
Sustainable development

Algeria:* draft resolution

Oil slick on Lebanese shores

The General Assembly,

Recalling its resolutions 61/194 of 20 December 2006, 62/188 of 19 December 2007, 63/211 of 19 December 2008, 64/195 of 21 December 2009, 65/147 of 20 December 2010 and 66/192 of 22 December 2011 on the oil slick on Lebanese shores,

Reaffirming the outcome of the United Nations Conference on the Human Environment, especially principle 7 of the Declaration of the Conference,[1] in which States were requested to take all possible steps to prevent pollution of the seas,

Emphasizing the need to protect and preserve the marine environment in accordance with international law,

Taking into account the 1992 Rio Declaration on Environment and Development,[2] especially principle 16, in which it was stipulated that the polluter should, in principle, bear the cost of pollution, and taking into account also chapter 17 of Agenda 21,[3]

Noting with great concern the environmental disaster caused by the destruction by the Israeli Air Force on 15 July 2006 of the oil storage tanks in the direct vicinity of the Jiyeh electric power plant in Lebanon, resulting in an oil slick that covered the entirety of the Lebanese coastline, extended to the Syrian coastline and hindered

* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

[1] See *Report of the United Nations Conference on the Human Environment, Stockholm, 5-16 June 1972* (A/CONF.48/14/Rev.1), part one, chap. I.

[2] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*, vol. I, *Resolutions adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex I.

[3] Ibid., annex II.

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efforts to achieve sustainable development, as already highlighted by the General Assembly in its resolutions 61/194, 62/188, 63/211, 64/195, 65/147 and 66/192,

Noting that the Secretary-General expressed grave concern at the lack of any acknowledgement on the part of the Government of Israel of its responsibilities vis-à-vis reparations and compensation to the Government and people of Lebanon and the Syrian Arab Republic affected by the oil spill,

Recalling that, in paragraph 4 of its resolution 66/192, it reiterated its request to the Government of Israel to assume responsibility for prompt and adequate compensation to the Government of Lebanon and other countries directly affected by the oil slick, such as the Syrian Arab Republic, whose shores have been partially polluted, and recognizing the conclusion of the Secretary-General that this request of the Assembly has yet to be implemented,

Acknowledging that the Secretary-General concluded that this oil spill is not covered by any of the international oil spill compensation funds and thus merits special consideration, and recognizing that further consideration needs to be given to the option of securing the relevant compensation from the Government of Israel,

Welcoming the assessment made by the Secretary-General of the value of the United Nations Compensation Commission in handling claims for compensation for environmental damage resulting from the unlawful invasion and occupation of Kuwait by Iraq, and the conclusion reached that certain cases of claims reviewed by the applicable panel established by the Commission may be relevant to a case such as the present oil slick, providing useful guidance in measuring and quantifying the damage sustained and in determining the amount of compensation payable in respect of it, while keeping in mind that the United Nations Compensation Commission does not have a potential role to play in securing compensation for the present oil slick,

Noting again with appreciation the assistance offered by donor countries and international organizations for the clean-up operations and the early recovery and reconstruction of Lebanon through bilateral and multilateral channels, including the Athens Coordination Meeting on the response to the marine pollution incident in the Eastern Mediterranean, held on 17 August 2006, as well as the Stockholm Conference for Lebanon's Early Recovery, held on 31 August 2006,

Acknowledging that the Secretary-General has welcomed the agreement of the Lebanon Recovery Fund to host the Eastern Mediterranean Oil Spill Restoration Trust Fund, under its existing mechanism, and expressing concern that to date no contributions have been made to the Trust Fund,

1. *Takes note* of the report of the Secretary-General on the implementation of General Assembly resolution 66/192 on the oil slick on Lebanese shores;[4]

2. *Reiterates*, for the seventh consecutive year, its deep concern about the adverse implications of the destruction by the Israeli Air Force of the oil storage tanks in the direct vicinity of the Lebanese Jiyeh electric power plant, for the achievement of sustainable development in Lebanon;

3. *Considers* that the oil slick has heavily polluted the shores of Lebanon and partially polluted Syrian shores and consequently has had serious implications

[4] A/67/341.

for livelihoods and the economy of Lebanon, owing to the adverse implications for natural resources, biodiversity, fisheries and tourism, and for human health, in the country;

4. *Reiterates its request* to the Government of Israel to assume responsibility for prompt and adequate compensation to the Government of Lebanon and other countries directly affected by the oil slick, such as the Syrian Arab Republic, whose shores have been partially polluted, for the costs of repairing the environmental damage caused by the destruction, including the restoration of the marine environment, in particular in the light of the conclusion contained in the report of the Secretary-General that there remains grave concern at the lack of implementation of the relevant provisions of the resolutions of the General Assembly on the subject vis-à-vis reparations and compensation to the Government and people of Lebanon and the Syrian Arab Republic affected by the oil spill;

5. *Requests* the Secretary-General to give further consideration to the option of securing the relevant compensation from the Government of Israel;

6. *Expresses its appreciation* for the assessment made by the Secretary-General of the value of the United Nations Compensation Commission, and takes note of his conclusion that certain cases of claims reviewed by the F4 Panel established by it may be relevant to a case such as the present oil slick, providing useful guidance in measuring and quantifying the damage sustained and in determining the amount of compensation payable in respect of it;

7. Requests, in this regard, the Secretary-General, capitalizing on the useful guidance provided by certain cases of claims reviewed by the F4 Panel, to consider taking appropriate measures, within existing resources and in consultation with the relevant United Nations agencies, to measure and quantify environmental damage resulting from the destruction of the oil storage tanks at the Jiyeh electric power plant;

8. *Reiterates its appreciation* for the efforts of the Government of Lebanon and those of Member States, regional and international organizations, regional and international financial institutions, non-governmental organizations and the private sector in the initiation of clean-up and rehabilitation operations on the polluted shores, and encourages Member States and the above-mentioned entities to continue their financial and technical support to the Government of Lebanon towards achieving the completion of clean-up and rehabilitation operations, with the aim of preserving the ecosystem of Lebanon and that of the Eastern Mediterranean Basin;

9. *Welcomes* the agreement of the Lebanon Recovery Fund to host the Eastern Mediterranean Oil Spill Restoration Trust Fund, based on voluntary contributions, to provide assistance and support to the States directly adversely affected in their integrated environmentally sound management, from clean-up to safe disposal of oily waste, of this environmental disaster resulting from the destruction of the oil storage tanks at the Jiyeh electric power plant;

10. *Notes* that in his report the Secretary-General urged Member States, international organizations, international and regional financial institutions, non-governmental organizations and the private sector to continue their support for Lebanon in this matter, in particular for rehabilitation activities on the Lebanese coast and in the broader recovery efforts, and stated that such international effort should be intensified, since Lebanon is still engaged in the treatment of wastes and

the monitoring of recovery, and reiterates its invitation to States and the international donor community to make voluntary financial contributions to the Trust Fund, and in this regard requests the Secretary-General to mobilize international technical and financial assistance, in order to ensure that the Trust Fund has sufficient and adequate resources;

11. *Recognizes* the multidimensionality of the adverse impact of the oil slick, and requests the Secretary-General to submit to the General Assembly at its sixty-eighth session a report on the implementation of the present resolution under the item entitled "Sustainable development".